

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:09-CR-82-D
No. 5:12-CV-38-D

FILED IN OPEN COURT

ON 10/5/2012

Julie A. Richards, Clerk
US District Court
Eastern District of NC

TERRELL ANTONIO JOHNSON,)
)
Petitioner,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
)
Respondent.)

ORDER

On January 29, 2012, Terrell Antonio Johnson ("Johnson") filed a motion to vacate his conviction and sentence pursuant to 28 U.S.C. § 2255 [D.E. 29]. For the reasons stated at the October 5, 2012 hearing, the court GRANTS Johnson's section 2255 motion and VACATES his September 21, 2009 conviction and his January 14, 2010 sentence. Accordingly, the court DISMISSES the pending motion for revocation of supervised release [D.E. 36]. The Clerk of Court shall close the case.

SO ORDERED. This 5 day of October 2012.


JAMES C. DEVER III
Chief United States District Judge